

CLERK
U.S. BANKRUPTCY
COURT - PGH

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

ROBERT J. WEICHEY, JR. and	:	Case No. 08-26098-TPA
DEBRA L. SHAY-WEICHEY,	:	Chapter 13
<i>Debtors</i>	:	
ROBERT J. WEICHEY, JR. and	:	
DEBRA L. SHAY-WEICHEY,	:	
<i>Plaintiffs,</i>	:	
v.	:	
NEXTIER BANK, N.A., and	:	
RONDA J. WINNECOUR,	:	
Chapter 13 Trustee,	:	
<i>Defendants.</i>	:	

ORDER

AND NOW, this ***18th*** day of ***May, 2009***, after trial on the issue of valuation arising from the Debtors, Robert J. Weichey, Jr., and Debra L. Shay-Weichey's, ***Complaint to Determine Secured Status*** filed at Document No. 1, for the reasons more fully stated in the foregoing ***Memorandum Opinion*** which include the Court's findings of fact and conclusions of law, all of which are incorporated herein pursuant to ***Fed.R. Bankr.P. 7052 and 9021***, it is hereby ***ORDERED, ADJUDGED and DECREED*** that the value of the Debtors' residence known as 141 Rimp Road, Summit Township, Butler County, Pa. is determined to be \$155,000.

It is ***FURTHER ORDERED*** that the \$155,000 value of 141 Rimp Road, Summit Township, Butler County, Pa. is an amount less than the stipulated \$186,182.62 payoff amount of the record, first mortgage against said property in favor of U.S. Bank, N.A., as of the date of the

filings of the within bankruptcy. As such, Defendant NexTier Bank, N.A.'s second mortgage claim against Debtors' real property located at 141 Rimp Road, Summit Township, Butler County, Pa. is entirely unsecured and therefore no longer a lien against said property *McDonald v. Master Financial, Inc.*, 205 F.3d 606 (3d Cir. 2000).



The image shows a handwritten signature in black ink, appearing to read "Thomas P. Agresti". Below the signature, there is a horizontal line.

Thomas P. Agresti
United States Bankruptcy Judge

Court Administrator to serve:

Ronda J. Winnecur, Chapter 13 Trustee
Debtors
Dai Rosenblum, Esq.
Jodi L. Hause, Esq.